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13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**

16 RICHARD KADREY, SARAH SILVERMAN,
17 CHRISTOPHER GOLDEN, MICHAEL
CHABON, TA-NEHISI COATES, JUNOT
18 DÍAZ, ANDREW SEAN GREER, DAVID
HENRY HWANG, MATTHEW KLAM,
19 LAURA LIPPMAN, RACHEL LOUISE
SNYDER, AYELET WALDMAN, AND
20 JACQUELINE WOODSON,

21 Individual and Representative Plaintiffs,

22 v.

23 META PLATFORMS, INC., a Delaware
corporation;

24 Defendant.
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Case No. 3:23-cv-03417-VC

**STIPULATION AND [PROPOSED] ORDER RE:
EXTENSION TO RESPOND TO FIRST
CONSOLIDATED AMENDED COMPLAINT**

Hon. Vince Chhabria

Trial Date: None
Date Action Filed: July 7, 2023

Pursuant to Federal Rule of Civil Procedure 6(b) and Civil Local Rule 6-1, Plaintiffs Richard Kadrey, Sarah Silverman, Christopher Golden, Michael Chabon, Ta-Nehisi Coates, Junot Díaz, Andrew Sean Greer, David Henry Hwang, Matthew Klam, Laura Lippman, Rachel Louise Snyder, Ayelet Waldman, and Jacqueline Woodson (collectively, “Plaintiffs”) and Defendant Meta Platforms, Inc. (“Meta” or “Defendant”) submit this Stipulation (“Stipulation”) to extend Meta’s deadline to respond to the First Consolidated Amended Complaint (ECF No. 64) (“FCAC”) by nine (9) days. The current deadline falls on New Year’s day, January 1, 2024, and with the extension, the new deadline would be January 10, 2024. Good cause exists to grant this Stipulation, as discussed below.

1. Plaintiffs Richard Kadrey, Sarah Silverman, and Christopher Golden filed the original Complaint (ECF No. 1) in this action on July 7, 2023 (“*Kadrey Complaint*”).

2. On September 12, 2023, Plaintiffs Michael Chabon, Ta-Nehisi Coates, Junot Díaz, Andrew Sean Greer, David Henry Hwang, Matthew Klam, Laura Lippman, Rachel Louise Snyder, Ayelet Waldman, and Jacqueline Woodson filed a separate complaint in *Chabon et al. v. Meta Platforms Inc.*, No. 3:23-cv-04663-DMR (N.D. Cal.) (the “*Chabon Action*”), which concerned substantially the same parties, transactions, and events at issue as in the Original Complaint.

3. On September 18, 2023, Meta filed a motion to dismiss (“Motion to Dismiss”) (ECF No. 23) under Rule 12(b)(6) of the Federal Rules of Civil Procedure directed to all six claims in the *Kadrey Complaint*.

4. On November 20, 2023, the Court granted Meta’s Motion to Dismiss and permitted Plaintiffs leave to amend certain claims within 21 days (i.e., by December 11, 2023) and ordered Meta to respond to any amended complaint within 21 days thereafter (i.e., by January 1, 2024). (ECF No. 56.)

5. On December 5, 2023, the parties stipulated to consolidation of the *Chabon Action* with this proceeding (ECF No. 60), which was granted by the Court on December 7, 2023. ECF No. 62.

6. On December 11, 2023, Plaintiffs filed the FCAC.

1 7. Due to holiday travel schedules and office closures, Meta seeks an extension of time
2 to evaluate the FCAC and prepare its response.

3 8. Good cause exists for this request, as moving the response deadline will allow Meta
4 and its counsel, many of whom are traveling over the holidays, sufficient time to evaluate and
5 prepare a response to the FCAC.

6 9. The new deadline requested will remain in advance of the Parties' January 12, 2024
7 Case Management Conference, and no party will be prejudiced by the requested continuance.

8 10. For the foregoing reasons, the parties hereby stipulate to and agree that, subject to
9 the approval of the Court:

- 10 a. Meta's deadline to respond to the FCAC is extended to January 10, 2024;
- 11 b. In the event Meta files a motion in response to the FCAC (in lieu of an answer), the
12 parties agree that Plaintiffs' opposition to any motion filed by Meta in response to
13 the FCAC is due on February 9, 2024 and Meta's reply to any such opposition is
14 due on February 23, 2024.

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16 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

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18 Dated: _____, 2023

19 _____
20 HON. VINCE CHHABRIA
21 UNITED STATES DISTRICT JUDGE
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1 Dated: December 22, 2023

COOLEY LLP

2
3 By: /s/ Bobby Ghajar

4 Bobby Ghajar
5 Mark Weinstein
6 Kathleen Hartnett
7 Judd Lauter
8 Colette Ghazarian

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10 LEX LUMINA PLLC
11 Mark A. Lemley

12 Attorneys for Defendant
13 META PLATFORMS, INC.

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15 Dated: December 22, 2023

JOSEPH SAVERI LAW FIRM, LLP

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17 By: /s/ Joseph R. Saveri

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Attorneys for Plaintiffs

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(h)

I hereby attest that I obtained concurrence in the filing of this document from each of the other signatories. I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 22, 2023

COOLEY LLP

/s/ Bobby Ghajar
Bobby Ghajar

Attorneys for Defendant
Meta Platforms, Inc.